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LEGISLATIVE HISTORY

Public Law 67--78th Congress

Chapter 119--1st Session

H. R. 2848

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DIGEST OF PUBLIC LAW 67

AMENDMENT TO FARM-LABOR APPROPRIATION. Amends Public Law 45 so as to safeguard old-age pensions for persons doing farm work in California, where an increase in pension was enacted in April.

INDEX AND SUMMARY OF HISTORY ON H. R. 2848

June 2, 1943	H. R. 2848 introduced by Rep. Carter and referred to the House Committee on Appropriations. Print of the bill as introduced.
	Discussed and passed House as reported.
	Referred to the Senate Committee on Appropriations. Print of the bill as referred.
June 3, 1943	Discussed in Senate and passed without amendment.
June 9, 1943	Approved. Public Law 67.

See Legislative history on Public Law 45 - 78th Congress.



78TH CONGRESS
1ST SESSION

H. R. 2848

IN THE HOUSE OF REPRESENTATIVES

JUNE 2, 1943

Mr. CARTER introduced the following bill; which was referred to the Committee on Appropriations

A BILL

Amending the "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 (f) of the joint resolution entitled "Joint
4 resolution making an appropriation to assist in providing a
5 supply and distribution of farm labor for the calendar year
6 1943", approved April 29, 1943 (Public Law Numbered
7 45, Seventy-eighth Congress), is amended by striking out
8 "April" and inserting in lieu thereof "July".

78TH CONGRESS
1ST SESSION

H. R. 2848

A BILL

Amending the "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943.

By Mr. CARTER

JUNE 2, 1943

Referred to the Committee on Appropriations

Flora A. M. Humes, Great Bend, N. Y., in place of F. A. M. Humes. Incumbent's commission expired June 23, 1942.

William L. McGranaghan, Hancock, N. Y., in place of W. L. McGranaghan. Incumbent's commission expired May 14, 1942.

Donald W. Murphy, Holland Patent, N. Y., in place of G. E. Blust, removed.

Lillian F. McNeil, Inlet, N. Y., in place of L. J. McNeil, deceased.

John V. Kellogg, Interlaken, N. Y., in place of J. V. Kellogg. Incumbent's commission expired June 9, 1942.

Raymond F. McIntyre, Lake Placid Club, N. Y., in place of Edward Hart, deceased.

Benjamin R. Gerow, Liberty, N. Y., in place of B. R. Gerow. Incumbent's commission expired June 23, 1942.

Mary G. McCarthy, Limestone, N. Y. Office became Presidential July 1, 1942.

John W. Clark, Mahopac, N. Y., in place of J. W. Clark. Incumbent's commission expired June 23, 1942.

William F. Agnew, Mayfield, N. Y., in place of W. F. Agnew. Incumbent's commission expired June 23, 1942.

Elizabeth M. Trainor, Monsey, N. Y., in place of E. M. Trainor. Incumbent's commission expired June 23, 1942.

Isidore Smith, Mountain Dale, N. Y., in place of Isidore Smith. Incumbent's commission expired June 23, 1942.

Robert E. Purcell, Philadelphia, N. Y., in place of R. E. Purcell. Incumbent's commission expired May 14, 1942.

Howard M. Curtis, Richfield Springs, N. Y., in place of H. M. Curtis. Incumbent's commission expired June 23, 1942.

Harold D. Ashline, Rouses Point, N. Y., in place of H. D. Ashline. Incumbent's commission expired June 23, 1942.

Morgan A. Lynk, Sharon Springs, N. Y., in place of M. A. Lynk. Incumbent's commission expired June 23, 1942.

Joseph J. Finan, Staatsburg, N. Y., in place of L. S. Filkins, retired.

Frank M. Campbell, Wilson, N. Y., in place of F. M. Campbell. Incumbent's commission expired June 23, 1942.

NORTH CAROLINA

Ethel G. Womble, Goldston, N. C. Office became Presidential July 1, 1942.

Shepperd Strudwick, Hillsboro, N. C., in place of Shepperd Strudwick. Incumbent's commission expired June 18, 1942.

Horace C. Johnson, Wrightsville Beach, N. C. Office became Presidential October 1, 1942.

NORTH DAKOTA

Nicholas J. Krebsbach, Velva, N. Dak., in place of N. J. Krebsbach. Incumbent's commission expired June 23, 1942.

OHIO

Lorand T. Lewis, Apco, Ohio. Office became Presidential July 1, 1942.

Durbin W. Gerber, Dover, Ohio, in place of D. W. Gerber. Incumbent's commission expired June 23, 1942.

Charles A. Hart, Minerva, Ohio, in place of C. A. Hart. Incumbent's commission expired June 18, 1942.

Harry E. Croner, Piqua, Ohio, in place of C. J. Bartel, deceased.

Thomas G. Williams, Vermilion, Ohio, in place of C. A. Trinter. Incumbent's commission expired April 1, 1942.

OKLAHOMA

Brooke L. Wallace, Wayne, Okla., in place of B. L. Wallace. Incumbent's commission expired May 3, 1942.

OREGON

Bessie B. Nunn, Wheeler, Oreg. Office became Presidential July 1, 1942.

PENNSYLVANIA

G. Wilda Schang, Broughton, Pa. Office became Presidential July 1, 1942.

Melvin C. Bender, Friedens, Pa., in place of H. D. Brown, transferred.

John A. Frazier, Liberty, Pa., in place of J. A. Frazier. Incumbent's commission expired June 23, 1942.

Oliver S. Rosenberger, Penllyn, Pa. Office became Presidential July 1, 1942.

James F. Gibbons, Pittston, Pa., in place of J. F. Gibbons. Incumbent's commission expired June 23, 1942.

PUERTO RICO

Mary Peet de Velazquez, Humacao, P. R., in place of Rafael Castaneda. Incumbent's commission expired December 1, 1941.

SOUTH CAROLINA

Patrick B. Holtzclaw, Arcadia, S. C. Office became Presidential July 1, 1942.

TENNESSEE

Albin M. Fulton, Cumberland Gap, Tenn. Office became Presidential July 1, 1942.

Maude M. Day, Pressmen's Home, Tenn., in place of B. L. Day, resigned.

TEXAS

Wilhelm A. Richter, Abernathy, Tex., in place of G. W. Ragland, transferred.

Gussie T. Edens, Big Lake, Tex., in place of H. B. Edens, retired.

Ephraim B. Hyer, Buckholts, Tex., in place of E. B. Hyer, resigned.

John F. Griffin, Devine, Tex., in place of H. D. Thompson, transferred.

Titus J. Shillingburg, Dublin, Tex., in place of G. L. Keller, removed without prejudice.

Jack V. Gray, Rotan, Tex., in place of J. V. Gray. Incumbent's commission expired June 23, 1942.

Susie A. Cannon, Shelbyville, Tex., in place of S. A. Cannon. Incumbent's commission expired June 23, 1942.

VERMONT

Alson Leon Esty, Richford, Vt., in place of A. L. Esty. Incumbent's commission expired June 23, 1942.

VIRGINIA

Bernice B. Turley, Bishop, Va., in place of M. C. Crockett, resigned.

T. Pryor Jones, Blackstone, Va., in place of T. E. Chambers, removed without prejudice.

WASHINGTON

David E. Burklund, Mukilteo, Wash. Office became Presidential July 1, 1942.

Emerson G. Lawrence, Port Angeles, Wash., in place of A. J. Cosser, retired.

Leo B. Reed, Redmond, Wash., in place of L. B. Reed. Incumbent's commission expired June 23, 1942.

Hanna A. Hanson, Riverton Heights, Wash. Office became Presidential July 1, 1942.

John Maloney, Jr., Skykomish, Wash., in place of John Maloney, Jr. Incumbent's commission expired April 20, 1942.

Otto F. Reinig, Snoqualmie, Wash., in place of O. F. Reinig. Incumbent's commission expired June 23, 1942.

Helen G. Anderson, Union, Wash. Office became Presidential July 1, 1942.

WISCONSIN

Elmer G. Zellmer, Fair Water, Wis. Office became Presidential July 1, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 2 (legislative day of May 24) 1943:

WAR MANPOWER COMMISSION

Guy Doane McKinney to be principal information specialist, at \$5,600 per annum, in the Washington regional office.

COLLECTOR OF CUSTOMS

Abe D. Waldauer to be collector for customs collection district No. 43, with headquarters at Memphis, Tenn.

IN THE NAVY

APPOINTMENTS IN THE NAVY

Henry C. Bridgers, Jr., et al.

(NOTE.—A full list of the names of the persons whose nominations for appointment in the Navy were confirmed today, may be found in the Senate proceedings of the CONGRESSIONAL RECORD for May 27, 1943, under the caption "Nominations," beginning with the name of Henry C. Bridgers, Jr., on p. 5092 and ending with the name of James T. Rior-dan on p. 5093.)

POSTMASTERS

HAWAII

Jack Y. Ouye, Hakalau.

Kaku Sakai, Hawi.

John A. Robello, Kalaheo.

Kwai Chew Lung, Kilauea.

Alexander Cameron, Papaaloa.

James Takeo Yabusaki, Papaikou.

Ethel Koi Leong Lau, Pearl City.

Timothy Wong, Waipahu.

NORTH CAROLINA

Sam H. Lee, Monroe.

House of Representatives

WEDNESDAY, JUNE 2, 1943

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal and most merciful Father, in the solemnity of these moments we wait in the name of Him who was bruised for our iniquities; harken unto the voice of our petition and consider our meditation. As we tarry in this silence, we feel the sense of a world gone wrong, which has failed because of hopes wasted and truth outraged. Whatever this tragedy has taken from us, may we never lose faith in the Lord Jesus as our Saviour; grieved by ruinous events, O increase our power to trust, to wait and hope for vision and victory.

Let us not presume that wickedness wins any immunity from punishment. Pride and power, glee and glory of successful iniquity, all shall reap the vintage and stubble of the wicked. We would not be blinded by sinister splendor, nor misinterpret divine patience or ripening judgment. Listen, O man, unto the word of the Lord: "I have seen the wicked in great power and spreading himself like a green bay tree. Yet he passed away and lo, he was not, he was sought and could not be found." Heavenly Father, brighten our pathway and allow not material glory to betray us, nor the intoxication of ambition to lure us to take any fatal step. Speak condemnation upon any who imperil the cornerstone of our Republic, or retard or threaten the heralds of freedom. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 367. An act for the relief of dependents of Frank Edward Dace.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 2584) entitled "An act to abolish certain naval trust funds and deposits thereto, and to simplify naval accounting procedure, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. WALSH, Mr. TYDINGS, and Mr. DAVIS to be the conferees on the part of the Senate.

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 495) entitled "An act to establish a Women's Army Auxiliary Corps for service in the Army of the

United States," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. AUSTIN, and Mr. BRIDGES to be the conferees on the part of the Senate.

RECRUITMENT AND DISTRIBUTION OF FARM LABOR

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 2848) amending the joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943, approved April 29, 1943.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Missouri [Mr. CANNON] to explain what this resolution is about and the reason for its coming here at this time.

Mr. CANNON of Missouri. Mr. Speaker, the House joint resolution, as enacted, provided authorization for recruitment and distribution of farm labor. It was also provided in the resolution that all receiving old-age assistance be allowed to draw both assistance and any wages that they might be entitled to receive under the resolution at the rate in effect in the various States in the month of April 1942.

By a singular coincidence, almost on the day the Congress passed this law, the State Legislature of the State of California passed a law increasing the rate of old-age assistance in that State. As a result this law applies to all the States of the Union with the single exception of the State of California. This joint resolution merely amends the original joint resolution by moving the date from April to July and, without prejudicing in any particular. The sole effect of this joint resolution is to make applicable to the State of California as well as to the other 47 States.

Mr. TABER. This is simply for the purpose of permitting the persons who draw old-age assistance and who desire to go to work on the farm to still draw their old-age assistance, and the reason for substituting the month of July for April is so they can still do it without a change in the amount of old-age assistance that has taken place since the original bill was drawn.

Mr. CANNON of Missouri. That is correct. The only change in the law proposed by the pending joint resolution is to make the law applicable to the State

of California as it is to all other States of the Union.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from California.

Mr. CARTER. Mr. Speaker, permit me to say to the able chairman of the Committee on Appropriations, the gentleman from Missouri [Mr. CANNON], that I introduced a few minutes ago this bill (H. R. 2848) amending the joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943, approved April 29, 1943, reading as follows:

That section 5 (f) of the joint resolution entitled "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943," approved April 29, 1943 (Public Law No. 45, 77th Cong.), is amended by striking out "April" and inserting in lieu thereof "July."

I want to thank the gentleman from Missouri [Mr. CANNON] for his cooperation and help in calling this bill up at once. This is an emergency matter. The gentleman from Missouri [Mr. CANNON] has stated the case very accurately. Under the provisions of Public Law No. 45, Seventy-eighth Congress, no individual receiving old-age assistance would be permitted to accept any income arising from agricultural labor if the old-age assistance was paid at a rate in excess of the rate received during the month of April 1943. The State legislature of the State of California increased the amount of old-age assistance during the month of April last, therefore under the provisions of this act the individuals would not be eligible to receive income from agricultural labor. My bill simply strikes out the word "April" and substitutes the word "July," because by that time an individual receiving old-age assistance in the State of California will be receiving the increased amount and will therefore be permitted to work in agricultural labor without any penalty levied against his old-age assistance.

The State of California considers this matter of such vital importance that it has sent a delegation here to Washington consisting of State Senator Jerrold Seawell, Senator Jesse Mayo, Senator Jack Shelley, and Assemblyman Walter Fourt. Yesterday with this delegation I conferred at length with Mr. Oscar Powell of the Social Security Board. The situation was thoroughly discussed, and the amendment that I have offered was recommended. I understand that my amendment will make it possible for the agriculture interests to employ some 25,000 or 30,000 individuals in California this season that would be barred from

accepting this employment unless my amendment is adopted. The individuals affected cannot draw the old-age assistance and the additional compensation obtained from work in agriculture unless this amendment goes through.

The special delegation consisting of three State senators and the assemblyman has been most helpful in working out the solution of this matter.

I want to express my thanks and appreciation not alone to the Speaker, the majority and minority floor leaders, and the gentleman from Missouri [Mr. CANNON] for the helpful cooperation, but also to the ranking minority member of the Appropriations Committee, the gentleman from New York [Mr. TABER].

This is a fair and just amendment, and I am sure that it will be unanimously adopted.

Mr. LEA. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from California [Mr. LEA], the dean of the California delegation.

Mr. LEA. The California delegation has taken a great deal of interest in this problem. The matter happened as the chairman has stated. The California delegation was not familiar with what had been done at the time the matter was up, but so far as I know, every member of our delegation is in favor of this amendment. The main feature is that it permits these aged people to engage in agricultural work without having reductions made from their pensions during the war period.

Mr. CASE. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield to the gentleman from South Dakota.

Mr. CASE. Is the amendment limited to people in the State of California?

Mr. TABER. No; it is not.

Mr. CASE. The reason I ask that question is that it has been brought to my attention that a great many Indians who are past 60 or 65 years of age and who are drawing old-age assistance would be available for farm labor in my State were it not for the fact reductions will be made, they will be taken from the rolls and reinvestigated.

Mr. TABER. It makes no exception.

Mr. CASE. Does it permit a recipient of old-age assistance who earns up to \$40, which would be the maximum allowable under the social-security law, to continue to draw that without any reductions?

Mr. TABER. It does not make any difference how much they are receiving, they are entitled to still draw old-age assistance and work on a farm, and it does not make any difference what State they are in.

Mr. CASE. Suppose they are Indians, would they be entitled to the same rights?

Mr. TABER. It does not make any difference who they are.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from California.

Mr. SHEPPARD. I would like to ask this question: Is the change as proposed in the resolution the only change; there

is no other change in the phraseology of the resolution?

Mr. CANNON of Missouri. That is correct. The only change is to substitute the month of July for the month of April in order to put the rates of old-age assistance into effect subsequent to the enactment of the California legislature.

Mr. SHEPPARD. The reason for making that change and for setting the State back, is to permit the State of California to participate under the law on the same basis that is extended to all other States?

Mr. CANNON of Missouri. That is correct. Without this amendment the State of California is not admitted to the full benefits of the law. With this amendment the law applies alike to every State, including California.

Mr. SHEPPARD. If this is done it will relieve between 18,000 and 20,000 Californians who are receiving pensions at present under social security for agricultural activities, and that is the purpose.

Mr. CANNON of Missouri. That is the sole purpose. It will increase the amount of labor available, and also provide for equal benefits to those drawing old-age assistance in California along with those on the rolls in the rest of the country.

Mr. SHEPPARD. I think it is a splendid amendment and should be adopted.

Mr. TABER. I withdraw my reservation of objection, Mr. Speaker.

Mr. WOODRUFF of Michigan. Reserving the right to object, Mr. Speaker, and I do so only for the purpose of securing information that I find very desirable at this time, may I ask the chairman of the committee this. I know that special treatment is given the State of California.

Mr. CANNON of Missouri. No special treatment is given the State of California or any other State. The bill merely provides that the State of California, which without the passage of this law would be excepted, shall receive the same consideration received by every other State in the Union.

Mr. WOODRUFF of Michigan. I realize fully that the conditions in California are somewhat different than they are in the other States.

Mr. CANNON of Missouri. If the gentleman will permit, the only difference is that California happened, by coincidence, just at the time this law was enacted, to pass a law increasing its rate of old-age assistance. In view of the fact that the Federal law provided that the rates in effect in April should prevail, this took California out of the purview of the Federal enactment. California did not know what we were doing and we did not know what California was doing.

Mr. WOODRUFF of Michigan. I understand that.

Mr. CANNON of Missouri. This resolution merely remedies that discrepancy.

Mr. WOODRUFF of Michigan. In other words, Mr. Speaker, the bill now pending extends the same benefits to those drawing old-age pensions in the several States everywhere throughout the country?

Mr. CANNON of Missouri. Exactly.

Mr. WOODRUFF of Michigan. It does not play favorites anywhere?

Mr. CANNON of Missouri. If this bill is not passed, California becomes an exception, but if this bill is passed, the same law obtains uniformly throughout the country.

Mr. CARTER. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from California.

Mr. CARTER. May I say that California is discriminated against if this bill does not pass, because none of the other States happens to have increased its pensions at that particular time. We do not believe we ought to be penalized for increasing our pensions.

Mr. WOODRUFF of Michigan. I may say to the gentleman from California that I am clearly in harmony with the purpose of the bill.

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 (f) of the joint resolution entitled "Joint Resolution Making an Appropriation to Assist in Providing a Supply and Distribution of Farm Labor for the Calendar Year 1943," approved April 29, 1943 (Public Law No. 45, 78th Cong.), is amended by striking out "April" and inserting in lieu thereof "July."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF CIVILIAN PILOT TRAINING ACT OF 1939

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1670) to amend section 2 of the Civilian Pilot Training Act of 1939, as amended, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, strike out lines 6 to 10 inclusive and insert:

"Sec. 2. Any appropriations heretofore made and available for obligation during the fiscal year ending June 30, 1943, for carrying out the provisions of the Civilian Pilot Training Act of 1939, shall be available for carrying out the provisions of such act as amended hereby. Any obligations entered into heretofore under such appropriations for purposes which are brought within the scope of such act by this amendatory act shall be deemed to be valid if otherwise properly incurred."

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

[Mr. ROBSION of Kentucky addressed the House. His remarks will appear hereafter in the Appendix.]

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the magazine America.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

[The matter referred to appears in the Appendix.]

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by A. G. T. Moore, vice president of the American Association of Small Business.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

[The matter referred to will appear hereafter in the Appendix.]

CORRECTION OF ROLL CALL

Mr. CARTER. Mr. Speaker, on roll call No. 86 I am recorded as having failed to answer to my name. I was present and answered to my name. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. CARTER. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this morning on the bill H. R. 2848 and include therein a copy of the bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

WISE LEADERSHIP OR INFLATION—AND DICTATORSHIP

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

[Mr. WOODRUFF of Michigan addressed the House. His remarks appear in the Appendix of today's RECORD.]

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a short article from Business Week.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

CORRECTION IN THE VOTE

Mr. MCGREGOR. Mr. Speaker, on roll call 86, I am recorded as among those not present and answering to their names. I was in the Chamber and answered present when my name was called and I ask unanimous consent that the RECORD and the Journal be corrected accordingly.

The SPEAKER. Without objection, the RECORD and the Journal will be corrected in accordance with the statement of the gentleman from Ohio.

There was no objection.

EXTENSION OF REMARKS

Mr. CASE. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Col. Lewis Pick, division engineer of the Missouri district, at Omaha, to the Eight-State Committee on Flood Control.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address by former Justice Byrnes.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a brief address by Raymond Gram Swing.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

Mr. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the life, character, and public services of the late Frank Buck.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech delivered by Mr. Charles J. Zinn, of New York, at the Tomb of General Grant, on Sunday last.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

FREE MAIL TO SERVICEMEN

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection? There was no objection.

Mr. KEOGH. Mr. Speaker, I am of the opinion that the war is presently entering a phase where morale will play a most important part. I believe that we should do everything we can to assist and improve the morale both of those in

the fighting forces and those on the home front.

I have today introduced a bill to provide for free postage for mail and mail matter addressed by any person to a member of the armed forces, and it is my opinion that this bill will do much to aid in the successful prosecution of the war. I sincerely hope that the committee to which the bill will be referred will give to it early and favorable consideration.

FEDERAL TAXES PAID BY HAWAII

Mr. FARRINGTON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend and revise my remarks.

The SPEAKER. Is there objection? There was no objection.

[Mr. FARRINGTON addressed the House. His remarks appear in the Appendix of today's RECORD.]

ROLL-BACK ON MEAT PRICES

Mr. HILL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks, and include therewith certain telegrams.

The SPEAKER. Is there objection? There was no objection.

[Mr. HILL addressed the House. His remarks appear in the Appendix of today's RECORD.]

LEAVE TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that on Monday next, after the disposition of matters on the Speaker's table and the conclusion of other legislative business, I be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection? There was no objection.

EXTENSION OF REMARKS

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter received from Mr. Sumner Welles, Under Secretary of State.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? There was no objection.

[The matter referred to appears in the Appendix.]

O. P. A. PRICE CEILINGS

Mr. STEWART. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection? There was no objection.

[Mr. STEWART addressed the House. His remarks appear in the Appendix of today's RECORD.]

EXTENSION OF REMARKS

Mr. STEWART. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from the Hale-Halsell Co., wholesale grocers, of McAlester, Okla.

H. R. 2848

IN THE SENATE OF THE UNITED STATES

JUNE 2 (legislative day, MAY 24), 1943

Read twice and referred to the Committee on Appropriations

AN ACT

Amending the "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That section 5 (f) of the joint resolution entitled "Joint
4 resolution making an appropriation to assist in providing a
5 supply and distribution of farm labor for the calendar year
6 1943", approved April 29, 1943 (Public Law Numbered
7 45, Seventy-eighth Congress), is amended by striking out
8 "April" and inserting in lieu thereof "July".

Passed the House of Representatives June 2, 1943.

Attest;

SOUTH TRIMBLE,

Clerk.

78TH CONGRESS
1ST Session

H. R. 2848

AN ACT

Amending the "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943.

JUNE 2 (legislative day, May 24), 1943

Read twice and referred to the Committee on Appropriations

Mr. McFARLAND. I desire to ask the Senator a question in regard to the test which the minority members placed in their proposed amendment. Particularly as to subsections (d) and (e), let me ask who is to determine whether the employee comes under either of those subsections?

Mr. O'MAHONEY. There is not a law passed by Congress which does not have to be considered by the department or agency, which has the responsibility for executing it, as well as by the Congress. If the construction of the law adopted by a department or an agency is not in harmony with the law, it will not take the Senate long to find that out. Most of the heads of the bureaus and most of the departments and agencies try to carry out the law as it is drawn.

The issue here is very simple, and I do not want to be drawn into any debate with the Senator from Arizona or with any other Senator with respect to non-essentials and technicalities. The issue is small, clear-cut, Shall we adopt a salary as the measuring stick, or shall we adopt a definition of policy-making power?

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. LUCAS. I simply desire to say in respect to the salary proposition that I have more trouble with the \$2,500 clerks than I do with the \$4,500 ones.

Mr. O'MAHONEY. No doubt the Senator is quite correct; probably his experience is not unusual.

Mr. LUCAS. I say that with all sincerity.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. STEWART. Does the Senator from Illinois suggest that the figure be reduced to \$2,500?

Mr. LUCAS. Yes; if we are going into this matter, I should like to have all employees of the Government confirmed by the Senate. If we are to start in on the salary basis, and are to take an arbitrary figure of \$4,500, then we should eliminate all reference to salaries, and should require that all Government employees be confirmed by the Senate.

Mr. STEWART. Does the Senator intend to offer such an amendment?

Mr. LUCAS. No, Mr. President; I do not intend to offer such an amendment. But if we are to have any arbitrary figure from the standpoint of a salary basis, then, as I see it, we might just as well require that all Government employees be confirmed by the Senate.

Mr. STEWART. Mr. President, where would the Senator draw the line?

Mr. O'MAHONEY. Mr. President, at this point I must interrupt, and must retain the floor for if I am going to permit Senators to indulge in cross-fire over my head, I shall never be able to conclude and to sit down. I do not desire to hold the floor. Let me say in extenuation of my position that one Member of the Senate came to me earlier in the day and said, "If you do not talk too long, you will have my vote." [Laughter.]

Mr. President, I do not want to lose his vote by talking too long.

Mr. McKELLAR. Mr. President, will the Senator yield for a moment?

Mr. O'MAHONEY. I yield.

Mr. McKELLAR. The Senator replied to a question by the Senator from Arizona as to who would determine who are policy-making officials of the Government. Is it not true, Mr. President, that the bureaucracies on which we are trying to place a slight check will determine who is a policy-making official and who is not, and therefore the law will be nugatory, unless we have some provision of the statute to do it? Is not that so?

Mr. O'MAHONEY. Mr. President, the answer to the question of the Senator from Tennessee is that the particular provision to which the Senator from Arizona referred, and concerning which he now has made a statement, is contained in the bill which the Senator from Tennessee and the Senator from Arizona are supporting.

Mr. McKELLAR. Yes; but we have in it a provision that if the official receives a salary of as much as \$4,500, he is ipso facto a policy-making official of the Government.

Mr. O'MAHONEY. Mr. President, I am glad the Senator brought up that point, because again it clearly indicates what is the issue before the Senate.

The Senator from Tennessee, with a definite purpose in mind—and very effectively, so far as legislative language is concerned—introduced a bill designed to bring before the bar of the Senate for confirmation all persons receiving more than a certain salary. The members of the committee felt that that was too broad. They felt that the power should be confined to policy-making officials, and so provided by writing in definitions. Then, after the definitions were written in and the salary provision had been stricken out, at the very last moment the salary provision was restored, and so the bill in its last form is worse than it was in its first form. Therefore, those of us who had attempted to draw the policy-making definitions filed our minority report.

Mr. CHANDLER. Mr. President, will the Senator yield for a question?

Mr. O'MAHONEY. Certainly.

Mr. CHANDLER. My question is apropos of the question propounded by the Senator from Illinois [Mr. Lucas]. Has the Government suffered any great distress or wrong through the fact that we confirm little postmasters all over the United States, some of whom make only a few hundred dollars a year?

Mr. O'MAHONEY. Of course, the Senator is aware that the great majority of postmasters, who occupy the fourth-class offices, are not confirmed by the Senate at all. Only the so-called Presidential postmasters, namely, the first-, second-, and third-class postmasters are confirmed by the Senate. The Senator has pointed directly to an illustration of exactly the point I have in mind. Inferior officers should not be confirmed; and the Congress of the United States, by legislation, took away the confirmatory power so far as fourth-class postmasters are concerned.

Mr. CHANDLER. Is it not true, however, that everyone who receives more than \$1,000 is confirmed?

Mr. O'MAHONEY. That is correct.

Mr. CHANDLER. That is a lesser figure than the one contained in the bill.

Mr. O'MAHONEY. That is correct.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. VANDENBERG. The Senator was very kind in response to my previous inquiry. Let me ask him for one further yardstick.

I have complete sympathy with the underlying purpose of the able Senator from Tennessee with respect to the proposed legislation, because it seems to me that this is one of the few ways in which Congress can reach back into the implementing of its delegated power, and have something to say and do by way of limitation of the sprawling bureaucracy which is the curse of our present-day democracy.

In further contemplating the problem, I have been appalled at the physical problem of attempting intelligently in the Senate to pass upon the confirmation of thirty or thirty-five thousand nominations, because I know perfectly well that it would become a matter of form in most instances.

I have that yardstick in respect to the bill. Can the Senator from Wyoming make any sort of estimate as to how many names would be subject to confirmation under his substitute?

Mr. O'MAHONEY. That would depend largely upon the war agencies—the War Production Board, the O. P. A., and all the others. Every policy-making official in those bureaus would have to be confirmed, and under the present situation, therefore, there probably would be 10,000 to 15,000, even as we have tried to narrow the field. Unless we do narrow the field, it will be, as the Senator from Michigan has said, a perfectly appalling and impossible task, which, by reason of its very size, will cause the defeat of the very salutary object which we ought to have in mind, of having the policy-making officials come before the Senate for confirmation.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. McKELLAR. The Senate devotes an exceedingly small portion of its time to confirmations. Its committees look up the names of those whose nominations are sent to the Senate. As I recall the number, there are now approximately 23,000 being confirmed by the Senate. The number varies from 23,000 to 30,000. I do not suppose we spend one two-hundredth part of the time of the Senate in confirming nominations. The Senator can see that so far as taking up the time of the Senate is concerned, it is a matter of the very least consequence. We could confirm double the number we now confirm just as easily as we confirm the present number. The important point is that when the Senate has the right to confirm, better officials will be appointed, because they know they will have to undergo scrutiny.

Mr. O'MAHONEY. Mr. President, I think the discussion thus far has covered all phases of this matter, at least in sufficient degree to make the issue clear. I

now submit the substitute which has been recommended by the minority. Let me say that as the result of a conference between the junior Senator from Michigan [Mr. FERGUSON], myself, and other Senators, the substitute has been somewhat altered since the minority views were filed with the Senate.

On behalf of the minority, I submit an amendment in the nature of a substitute. I ask that the amendment lie on the table and be printed, and also printed in the RECORD, to be offered at the proper time.

The PRESIDING OFFICER. The amendment submitted by the Senator from Wyoming will lie on the table and be printed. Without objection, it will be printed in the RECORD.

The amendment in the nature of a substitute is as follows:

Amendment intended to be proposed by Mr. O'MAHONEY (for himself, Mr. FERGUSON, and Mr. LANGER) to the bill (S. 575) to provide that officers in the executive branch of the Government who receive compensation at a rate in excess of \$4,500 a year shall be appointed by the President, by and with the advice and consent of the Senate, in the manner provided by the Constitution, viz: Strike out all after the enacting clause and insert the following:

"That (1) any person hereafter appointed or promoted to any civilian office to which this section applies shall be appointed by the President, by and with the advice and consent of the Senate, and (2) no person shall hold any such office after June 30, 1943, unless he shall have been so appointed: *Provided*, That any person now holding any such office, who was not so appointed, may continue to hold such office until his successor is appointed and qualified or until September 30, 1943, whichever is earlier, if a nomination for an appointment to such office has been submitted to the Senate prior to June 30, 1943.

"SEC. 2. Except as provided in section 3 the following persons in or under the executive branch of the Government of the United States (including Government-owned corporations) shall be deemed to be officers of the United States and the provisions of the first section of this act shall apply to the office held by each of them:

"(a) The heads, assistant heads, and head attorneys of the several departments and agencies of the Government (including members of the boards of directors and officers of Government-owned corporations).

"(b) The heads of bureaus, divisions, or other units representing the first subdivision of any such department or agency.

"(c) The heads and assistant heads of regional, area, or State offices of such departments or agencies.

"(d) All persons whose duties include responsibility for final action in connection with the preparation and promulgation of rules, regulations, or orders made or issued under authority of any Act of Congress or any Executive order.

"(e) All persons whose duties include responsibility for determining the policies to be followed in administering the functions of any department, agency, or subdivision thereof as defined in paragraphs (a), (b), and (c) of this section.

"SEC. 3. The provisions of the first section of this act shall not be applicable, except in cases where confirmation by the Senate is otherwise required by law—

"(a) In the case of (1) any person appointed or promoted in accordance with provisions of the civil-service laws and rules, as a result of which appointment or promotion and satisfactory service during a proba-

tionary period he acquired a classified (competitive) civil-service status; (2) any person who acquired a classified (competitive) civil-service status as in clause (1) and who, having left the service, has been or may be reinstated with restoration of such status; and (3) any person who, subsequent to appointment, acquired a classified status by action of the President or the Civil Service Commission, pursuant to act of Congress or Executive order; or

"(b) In the case of any civilian office or position held by any person on leave of absence or furlough from such office or position and in active service in the military or naval forces of the United States; or

"(c) In any case in which a person is restored to or reinstated in an office or position in accordance with the provisions of any act of Congress providing that he shall be restored to or reinstated in such office or position upon completion of active service in the military or naval forces of the United States; or

"(d) In the case of any office or position in the Federal Bureau of Investigation in the Department of Justice; or

"(e) In the case of any person whose compensation is paid from the appropriation for the White House office in the Executive Office of the President."

Amend the title so as to read: "A bill to provide that certain civilian officers in the executive branch of the Government who are appointed without regard to the civil-service laws shall be appointed by the President, by and with the advice and consent of the Senate."

Mr. DOWNEY obtained the floor.

Mr. HATCH. Mr. President, will the Senator yield to me for the purpose of suggesting the absence of a quorum?

Mr. DOWNEY. I yield.

Mr. HATCH. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BUTLER in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Mahoney
Andrews	Gerry	Overton
Austin	Gillette	Pepper
Bailey	Guffey	Radeliffe
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barbour	Hawkes	Reynolds
Bilbo	Hayden	Russell
Bone	Hill	Scruggs
Brewster	Holman	Shipstead
Brooks	Johnson, Colo.	Smith
Bushfield	La Follette	Stewart
Butler	Langer	Thomas, Okla.
Byrd	Lodge	Tobey
Capper	Lucas	Truman
Caraway	McCarran	Tunnell
Chandler	McFarland	Tydings
Chavez	McKellar	Vandenberg
Clark, Idaho	McNary	Van Nuys
Clark, Mo.	Maloney	Wagner
Connally	Maybank	Wallgren
Danaher	Mead	Walsh
Davis	Millikin	White
Downey	Moore	Wiley
Eastland	Murray	Willis
Ellender	Nye	Wilson
Ferguson	O'Daniel	

The PRESIDING OFFICER. Eighty Senators having answered to their names, a quorum is present.

SUPPLY AND DISTRIBUTION OF FARM LABOR

Mr. DOWNEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 2848, which yesterday passed the House of Representatives by unanimous consent. The bill involves a matter of not very great importance except to the

State of California and possibly one or two other States.

Last April Congress pass a joint resolution which was approved on April 29 providing that persons receiving old-age assistance from the Federal Government might earn additional money from work upon farms without forfeiting their right to the pensions. A provision was written into the law to the effect that no pensioner could take advantage of it whose rate of payment was increased beyond the amount paid to him in the month of April. Prior to the time of the passage of the joint resolution the State of California—and I believe also the State of Utah—had made slight increases in their pension payments to become effective in the month of July. Consequently, under laws which were in existence at the time Congress passed the law to which I have referred, California and any other State which will grant increased pensions in the month of July would be barred.

Because of the peculiar nature of the law, it is very important for the State of California that some action be taken immediately upon this subject, as it involves the State's fiscal operations.

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. McKELLAR. Mr. President, I have no objection to the bill to which the Senator refers; and if it will not take very much time, if there will be no extended discussion of it, and it will not displace the pending bill, I shall have no objection to its consideration. However, I should not want it to displace the pending bill.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. Mr. President, I introduced the original amendment to which the Senator from California has referred, to permit elderly people to accept farm employment. The Senate adopted the amendment. It went to conference, and the date was changed in such a manner as to interfere with the citizens of California and of Utah taking advantage of the law. The amendment now sought is to permit elderly people of California and Utah to be on the same basis with those of other States. In my opinion, the amendment should be agreed to, because there was no intent on the part of Congress, I am sure, to penalize the old people of California and Utah.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. In Colorado we have a fixed objective which we try to reach, but the payments vary from month to month according to our revenues. Therefore, at the moment I am not prepared to say whether one month has been higher than another in point of actual payments. Can the Senator make any observations on the effect of the bill to which he has referred on that kind of a situation?

Mr. DOWNEY. What I am asking for would place Colorado in a better position than it now is, but if after July 1 Colo-

rado should increase its old-age payments, it would be in difficulty under this law. What I am asking for would assist the State of Colorado.

Mr. MILLIKIN. As I remember, the law mentions the rate of payment. Would the Senator from California interpret "rate" to be synonymous with "amount"?

Mr. DOWNEY. Yes; I would so interpret it.

Mr. McKELLAR. Mr. President, if the bill will not displace the pending measure, and will take no extended time, I shall have no objection to its consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2848) amending the joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943, approved April 29, 1943, was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the Committee on Appropriations will be discharged from further consideration of the bill.

REQUISITION OF PROPERTY ACT EXTENSION

Mr. REYNOLDS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate bill 217, to amend the act entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States," approved October 16, 1941, to continue it in effect.

It will take but a few minutes to dispose of the bill. It is a bill which the War Department desires to have passed, and the present act will expire within 30 days.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

Mr. McKELLAR. Can the bill be disposed of within 5 minutes?

Mr. REYNOLDS. Oh, yes.

Mr. McKELLAR. I will agree that the pending business be temporarily laid aside with the right to insist upon the regular order if consideration of the bill shall take more than 5 minutes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection the bill (S. 217) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first sentence of the first section of the act entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States," approved October 16, 1941 (55 Stat. 742), is amended by striking out the date "June 30, 1943", and inserting in lieu thereof the date "June 30, 1944", so that it will read as follows: "That whenever the President, during the national emergency declared by the President on May 27, 1941, but not later than June 30, 1944, determines that (1) the use of any military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such

equipment, supplies, or munitions is needed for the defense of the United States; (2) such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted, he is authorized to requisition such property for the defense of the United States upon the payment of fair and just compensation for such property to be determined as hereinafter provided, and to dispose of such property in such manner as he may determine is necessary for the defense of the United States."

SEC. 2. Section 2 of the act of October 16, 1941 (55 Stat. 742), is amended by striking out the date "December 31, 1943" and inserting in lieu thereof the date "December 31, 1944", so that it will read as follows:

"SEC. 2. Whenever the President determines that property acquired under this act and retained is no longer needed for the defense of the United States, he shall, if the original owner desires the property and pays the fair value thereof, return such property to the owner; but, in any event, property so acquired and retained shall, if the owner desires the property and pays the fair value thereof, be returned to the owner not later than December 31, 1944."

SERVICES OF AMERICAN NATIONAL RED CROSS IN AID OF LAND AND NAVAL FORCES

Mr. REYNOLDS. Mr. President, on April 6, a House bill (H. R. 2292) to provide for the use of the American National Red Cross in aid of the land and naval forces, was received in the Senate and was referred to the Committee on Foreign Relations.

The companion Senate bill (S. 676) was considered by the Military Affairs Committee on May 4, amended by substituting the text of the House bill 2292, and approved. This action was taken by the Military Affairs Committee after consultation between the Military Affairs Committee and the Foreign Relations Committee and it was found agreeable to that committee, through its chairman, the Senator from Texas [Mr. CONNALLY], that the Military Affairs Committee take jurisdiction. The Senate bill, as amended, was accordingly reported to the Senate and placed on the calendar. When the calendar was called, an explanation should have been made, the Foreign Relations Committee should have been discharged from further consideration of the House bill, and that bill should then have been passed by the Senate in place of Senate bill 676. Inasmuch as Senate bill 676 was passed, however, on May 20, I now ask that the Foreign Relations Committee be discharged from further consideration of House bill 2292 and that the House bill be now passed by the Senate.

Mr. McKELLAR. Mr. President, I hope the Senator will not make that request.

Mr. REYNOLDS. Very well; I will renew it tomorrow.

Mr. McKELLAR. I shall be very glad to help the Senator tomorrow.

Mr. REYNOLDS. I knew the Senator would, because I expect to vote for his bill. So I thought if I brought this measure up now I might secure consideration of it.

CONFIRMATION BY THE SENATE OF CER- TAIN GOVERNMENTAL EMPLOYEES

The Senate resumed the consideration of the bill (S. 575) to provide that officers in the executive branch of the Government who receive compensation at a rate in excess of \$4,500 a year shall be appointed by the President, by and with the advice and consent of the Senate, in the manner provided by the Constitution.

Mr. McKELLAR. Mr. President, are we ready to vote?

Mr. LUCAS. Mr. President, since coming to the floor of the Senate today I have carefully read the majority report on the bill proposing to confirm the appointment of officers and employees of the United States, and I confess that while much skill has been used in making a fine constitutional argument, yet I fail to understand why this bill is before the United States Senate, and I have not as yet heard a word spoken in the debate to justify its being here.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McKELLAR. That question has been asked several times. I requested the Senator from Indiana [Mr. VAN NUYS] to give me the vote by which the bill was reported. I find that it was reported by a vote of 10 to 4. Ordinarily when a committee votes by a majority to report a bill to the Senate it is reported and comes before the Senate. When it is in the keeping of the committee it is not reported to the Senate.

Mr. LUCAS. Mr. President, I thoroughly understand that the bill was reported favorably by a majority of the committee; but I have as yet failed to hear any argument made on the floor of the Senate as to the real reason why this kind of legislation should be proposed at this particular time.

Mr. President, it is always with the utmost regret when I find myself disagreeing with the distinguished Senator from Tennessee, who is the author of this measure. The long and honorable record the Senator from Tennessee has made in this legislative Hall stands forth as a living tribute to his sagacity, his courage, and his statesmanship. His long record here also reflects great credit upon the wisdom and intelligence of the people of Tennessee who have, with conspicuous consistency, sent him here to represent them over this long period of time. But, Mr. President, I am unalterably opposed to this bill for two fundamental reasons. It is difficult for me to understand how the Senate of the United States can take an arbitrary figure of \$4,500, use that as a yardstick, and ask the Senate and the other House of Congress to pass a bill which will require the Senate to confirm the appointment of all employees of the Government who receive a salary in excess of \$4,500.

I know that, in this great emergency, there are thousands upon thousands of employees in the executive branch who otherwise would not be there. The Senator from Michigan spoke a moment ago about the sprawling bureaucracy which exists in Washington at this time; we

near it denounced almost daily upon the floor of the Senate; and, of course, from the standpoint of efficiency, it is not perhaps what it should be; but that is not strange in a democratic form of government. However, the bureaucracy about which so much is said, and the bureaucrats who are so constantly condemned, are men of all parties and of all faiths. Take, for example, the War Production Board, an agency, we will say, which is bureaucratic in form, or the Office of Defense Transportation, which is another bureaucratic agency of the Government, or at any rate, it has been so termed here; if we had any way of scanning the employees and those who hold official positions in those agencies, and who really do things, we would find that probably there are more Republicans on the pay roll than there are Democrats. I am not objecting to that, for we are in war, and I want my Government to have the best men it can find to conduct its various agencies, regardless of their political affiliations.

Mr. President, with respect to many of these agencies I have not paid very much attention to what goes on so far as appointments affect my particular State. I know that some appointments have been made which have been bad from the standpoint of having the kind of cooperation there should be with Members of the United States Senate, and some of the appointments have been wrong. Senators should have been consulted before the appointments were made. The Senator from Washington [Mr. Bone] rose yesterday and said that he was giving notice that no appointment should come here for confirmation until the agency in which the appointment was made had conferred in advance with him, and that is, of course, in my opinion, right. I will tell the Senate why. A Senator who is representing his State in the Senate, at least, gets the credit of being responsible for an appointee serving in his State or district of a governmental agency which is operating in behalf of the war effort.

That is one of the reasons why I shall not vote for a bill which, if passed, would require the Senate to confirm 38,000 more appointees. I do not want to accept that responsibility insofar as the people of my State are concerned. Furthermore, it is impossible to escape the conclusion that the public think this is a patronage grab upon the part of the Congress, and that, if this bill passes, the Senate will have under its domination 38,000 more employees.

Mr. President, I said a moment ago I do not care so much about the \$4,500 employee; in trying to get information from governmental bureaus I have more trouble with the \$2,500 clerk or the \$2,000 clerk. I can talk to Mr. Patterson or Mr. Stimson or Mr. Knox or Mr. Forrestal, Mr. Nelson, or Mr. Eastman, or Mr. Brown and get information immediately but it is very difficult for me to talk to many of the subordinates who are getting in the neighborhood of \$2,500 and obtain any real information.

It reminds me of something that happened during the last war. About the third day I was in the Army I was walk-

ing along thinking about home, when I met a general. I passed him by without saluting. He called me back and said, "Young man, how long have you been in the Army?" I said, "Three days, sir." He said, "You must understand the rule of the Army is that when you pass an officer you are compelled to salute." I said, "I understand that perfectly well, sir, but I have just been here about 3 days, and I was thinking about the folks back home, and I apologize." He said, "Now, young man, that is all right with me, but don't you ever pass a second lieutenant and fail to salute him, or you may be court-martialed as a result." [Laughter.] If there are any second lieutenants sitting in the gallery, I apologize to them, because once I was one myself. That illustrates the situation, so far as subordinates are concerned.

Another basic reason why I am against the bill is that an examination of it, with all its ramifications, convinces me beyond the peradventure of a doubt that if this proposal became the law of the land, it would retard, hinder, and delay the war effort.

On page 6 the majority report says, among other things:

Your committee believes that the method provided in the bill for vesting control in the people, through their legally elected representatives, is unobjectionable because it in no way interferes with the war effort.

Mr. President, I challenge that premise, and that is one of the reasons, and one of the fundamental reasons, why I am opposed to the proposed legislation. There is a perfect example with respect to the appointment of men in the War Manpower Commission at the present time. The names of individuals who are appointed in Indiana, Wisconsin, Illinois, and I think Michigan, in that particular region, are all coming to my office at the present time, my approval being sought before the committee that is handling the appointments will report them favorably to the Senate.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. HATCH. I stated on the floor of the Senate a day or so ago that the Committee on Military Affairs would not report any nomination until the Senators from the State concerned had approved the selection, which makes it necessary that the names of the appointees be referred to the Senators.

Mr. LUCAS. I do not know what the colloquy was with respect to the question raised by the Senator from New Mexico. What I am saying is that the nominations of persons from the States of Indiana and Wisconsin, and I think from Michigan, that particular area, have been coming to my desk for approval before they finally reach the Committee on Military Affairs, or whatever committee is handling the nominations for particular positions.

It so happens that I may be away a week or that I may not be able to approve the manpower nominations for 2 weeks. Some of them I have let lie on my desk as long as 3 weeks, because why should I be interested in an individual in Indiana who receives an appointment

under the War Manpower Commission?

Mr. President, if such procedure does not hinder and delay and frustrate the war effort on the home front, I do not know what would. If an individual who is appointed to handle an important job does not know for a period of 6 weeks or 2 months whether or not his nomination is going to be confirmed by the United States Senate, that individual is not doing the kind of a job he should do in some temporary appointment.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CHANDLER. I know the Senator does not wish to leave the impression that any Member of the Senate would desire to delay a nomination which by law it is a part of his obligation to see is confirmed. Submission of nominations to Senators is the law now, and that is the reason why those nominations are sent to the Senator.

Mr. LUCAS. I appreciate that.

Mr. CHANDLER. They go to the Committee on Military Affairs.

Mr. LUCAS. Certainly.

Mr. CHANDLER. There they are referred to a subcommittee, of which I happen to be chairman. We have made it a rule to send those nominations to the Senators in whose States the persons are supposed to serve, or the area where they are supposed to serve, unless a Senator expressly says he is not interested; some have done. Of course, we cannot make them interested if they are not. We give the Senator an opportunity and a reasonable time, and I think Senators are not disinterested in those who serve, when they have an obligation by law to scrutinize the man and his talents, and either to approve or disapprove him. I have not had any serious delays in the subcommittee reporting the nominations promptly to the Committee on Military Affairs, and the Military Affairs reports them promptly to the Senate.

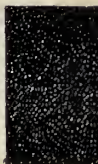
Mr. LUCAS. I am not complaining about the promptness or the lack of promptness on the part of the Committee on Military Affairs. I did not even mention that committee from that angle. I am talking about my own negligence, in connection with the matter. And a negligence that can be defended.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. LUCAS. I shall yield in a moment. Mr. President, I have more than I can do at the present time in connection with the office of United States Senator. The State of Illinois has a population of seven and a half million and, so far as I can prevent it, I do not want any more nominations coming to my office and coming over my desk. I do not want the responsibility of having to write to my friends in Illinois asking them to look up John Jones, who has been chosen for some particular position, and give me his background and his history in order that I may intelligently pass upon him.

We are at war, Mr. President, and if we are to do what is proposed, and if we are to do it honestly and carefully, and conscientiously, we cannot merely lay these matters aside and say, "They are

June 7





[PUBLIC LAW 67—78TH CONGRESS]

[CHAPTER 119—1ST SESSION]

[H. R. 2848]

AN ACT

Amending the "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 (f) of the joint resolution entitled "Joint resolution making an appropriation to assist in providing a supply and distribution of farm labor for the calendar year 1943", approved April 29, 1943 (Public Law Numbered 45, Seventy-eighth Congress), is amended by striking out "April" and inserting in lieu thereof "July".

Approved June 9, 1943.

